

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brock Lesnar,

Plaintiff,

v.

World Wrestling Entertainment, Inc.,
a Delaware corporation,

Defendant.

Civil File No. 3: 05 CV 221 (CFD)
(District of Connecticut)

Case No. 05 MC 71 (DWF/SRN)
(District of Minnesota)

ORDER TO TRANSFER MOTION AND CASE

Based upon the Stipulation to Transfer Motion and Case (Doc. No. 13) and all of the pleadings, files and records herein,

IT IS HEREBY ORDERED

1. Plaintiff's Motion to Quash or Modify Subpoena Issued to Attorney David Bradley Olsen (Doc. No. 1), along with the entire case and all issues arising in connection with the subpoena and/or any deposition of Mr. Olsen, is **TRANSFERRED** to the United States District Court for the District of Connecticut and the Honorable Christopher F. Droney, presiding over the underlying litigation, Brock Lesnar v. World Wrestling Entertainment, Inc., Civil File No. 3: 05 CV 221 (CFD). See In re Digital Equip. Corp., 949 F.2d 228, 231 (8th Cir. 1991) (stating that while the court which issued the subpoena "initially has exclusive jurisdiction to rule on the objections [to the subpoena], it may in its discretion remit the matter to the court in which the action is pending"); Petersen v. Douglas County Bank & Trust Co., 940 F.2d 1389, 1391 (10th Cir. 1991) (affirming a magistrate judge's transfer of a motion to quash case because "the

transfer was not improper simply because the transferred matter involved a motion to quash under Rule 45” and citing Fed. R. Civ. P. 26(c) as authorizing such a transfer); see e.g., Pactel Personal Commc’ns v. SMB Realty Corp., 133 F.R.D. 137, 138 (E. D. Mo. 1990) (transferring the motion to quash case and citing Fed. R. Civ. P. 26(c) as authorizing such a transfer); In re Subpoena Duces Tecum, 918 F. Supp. 272, 273-74) (E. D. Wis. 1996) (transferring the motion to quash case and citing Fed. R. Civ. P. 26(c) in support);

2. The parties shall jointly submit the record now existing in the present Court to the United States District Court for the District of Connecticut, Brock Lesnar v. World Wrestling Entertainment, Inc., Civil File No. 3: 05 CV 221 (CFD), without further briefing or enlargement of the record, unless otherwise ordered by the United States District Court for the District of Connecticut; and

3. The Clerk of Court is directed to transfer the case accordingly.

BY THE COURT

Dated: January 6, 2006

s/ Susan Richard Nelson
SUSAN RICHARD NELSON
United States Magistrate Judge